THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.18369 OF 2005

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Dated: 14-11-2005

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Between

A.V. Suresh Kumar, S/o. late A. veeraiah, Proprietor, Hindustan Tobacco Trade Corporation, Nizambad, R/o. 13-1-704, Mangalghat, Hyderabad.

...PETITIONER

AND

The Superintendent of Police, Nizambad District, Nizambad and another.

...RESPONDENTS

ORDER:

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Petitioner seeks a Writ of Mandamus directing the respondents not to interfere with his personal life and liberty and also not to harass his family members without following the due procedure.

Counter has been filed stating that the President, Beedi Kamgar Union, Nizamabad sent a complaint dated 23.04.2005 to the Superintendent of Police, Nizambad District alleging that Hindustan Tobacco Trade Corporation – petitioner corporation cheated the Beedi Commission Agents and Beedi Workers to a tune of one crore rupees. On receipt of the said complaint the first respondent endorsed the same and sent it to the Deputy Superintendent of Police, Armoor to take necessary action. The said complaint was in turn forwarded to the second respondent - Station House Officer, Velpur Police Station, Velpur,

Nizambad District. The second respondent upon receipt of the same called some of the victims and enquired with them. The enquiry revealed that each of the victim deposited an amount of Rs.50,000/- to the petitioner's corporation. But, however, the complainant informed the respondents that the matter was settled with the petitioner's corporation with the assistance of the Labour Officer and requested the respondents not to take any action on the complaint.

In view of the said request no action was taken and the petitioner was never called to the police station and his family was never harassed. Petitioner filed this writ petition on an apprehension only without there being any cause of action of harassment meted out to him or his family members. It is further stated that in view of the complaint given by the President of the Beedi Kamgar Union, the police intended to take action but as the matter was settled no action has been taken.

In view of the aforesaid categorical statement made in the counter that the matter has been settled and the petitioner was never harassed and was never called to the police station, I am of the opinion that no orders need be passed in this writ petition.

The writ petition is accordingly dismissed.

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V. ESWARAIAH, J

November 14, 2005

DSK